

**GROUND WATER MANAGEMENT COMMISSION
ADVISORY TASK FORCE
18TH MEETING
SUMMARY**

Wednesday, March 12, 2003

Prepared by:

Department of Natural Resources

Office of Conservation

Ground Water Management Staff

Call to Order

Advisory Task Force Members in attendance:

Karen Gautreaux, Governor's Office

William Daniel, Speaker of the House, Designee

Charles R. Demas, LA District Chief, USGS, Water Resources Division

Timothy W. Duex, University of Louisiana at Lafayette, Geology Department

Henry T. Graham, Jr., Louisiana Chemical Association

Bradford Hanson, Louisiana Geological Survey

Gary Hanson, Representative of the LSU/Shreveport Watershed Management Initiative

Robert Jackson, Representative of the New Orleans Sewerage & Water Board

Darwin Knochenmus, Representative of the Capital Area Ground Water Conservation District

Randy Lanctot, Louisiana Wildlife Federation

Paul "Jackie" Loewer, Jr., President of the Louisiana Rice Growers Association

R. Michael Lyons, Mid-Continent Oil & Gas Association

Kyle McCann, Louisiana Farm Bureau

Eugene H. Owen, Municipal Water Association

Bradley E. Spicer, Assistant Commissioner for Soil and Water Conservation

Charles W. Stahr, Louisiana Pulp and Paper Association

Linda Walker, League of Women Voters – New Orleans

Michael W. Wascom, Citizens for a Clean Environment

Ground Water Management Commissioners in attendance:

Dean Lowe, Department of Health & Hospitals, Office of Public Health

Bradley E. Spicer, Department of Agriculture and Forestry

Jim Welsh, Department of Natural Resources

Linda Zaunbrecher, Farm Bureau Member

Update on Staff Activities

The total water well information sheets received by the Office of Conservation is 640. The usual items were posted on the Commission website including the power point presentation prepared for the House and Senate Committees on Natural Resources and Environment on February 5, 2003. The staff attended the Outreach Committee meeting on February 25, 2003. The summary of the meeting was e-mailed to the members of the Advisory Task Force and Ground Water Management Commission. The staff will attend the Department of Environmental Quality conference, "Waste Management and the Environment," scheduled for Tuesday, March 18, 2003, in Lafayette.

The Sparta Ground Water Conservation District's Application for Critical Ground Water Area designation is under review and may be completed by May.

An application for permit from the Webster Parish Police Jury requesting to install an aquifer storage well for a pilot study was received by the Office of Conservation. Senator Bill Jones has requested a hearing regarding the application.

Committee Reports

The Outreach Committee met on February 25th to review the presentation for the legislative briefing, discuss the format for the briefing and other immediate outreach issues. A formal request to meet with the four committees will be sent to the committee chairs by Karen Gautreaux. The goal of the briefing is to give the legislators basic information so they can base their decisions upon an understanding of the science employed in the Commission's implementation plan.

Old Business: Discussion of the *Statewide Water Management Program – a Plan for Implementation*: Consideration of the recommendations proposed by the Ground Water Management staff to the Ground Water Management Advisory Task Force.

The language for the following items was discussed at length:

- Item 1. Legal status of subterranean water as a mineral under the *Mineral Code*,
- Item 3b. Specific functions, roles and responsibilities of the agency/division,
- Item 3g. Levy of Civil Penalties and
- Item 4. Registration and Permitting Requirements.

The original recommendations proposed by the Ground Water Management staff are listed below. Attached to end of this summary are the revisions made to the recommendations based on the discussions during the Advisory Task Force meeting. The revised recommendations were submitted to the Ground Water Management Commission for consideration at the March 14, 2003 meeting.

Recommendations

By Ground Water Management Staff

Following numerous Task Force meeting discussions, the following items have been prepared by the Ground Water Management Commission staff as consensus points for consideration.

Item 1: Legal status of groundwater

The consensus is that groundwater can be regulated by the state under existing law.

Item 3b: Specific functions, roles and responsibilities of the agency/division

Agency Structure

It is proposed that a Water Management Division (agency) be established in the Office of Conservation. This agency will serve as the technical staff to the proposed Water Management Commission (Commission) and be responsible, subject to Commission approval, for all policy/rule making, planning, data management, recordkeeping, and administration of the plan, including technical reviews of critical groundwater area applications, review of Water Resources District (District) recommendations, and committee proposals. The agency will also assume some of the duties currently performed by the DOTD: well registration and permitting, licensing of water well drillers, well construction and plugging inspections, groundwater data collection and dissemination, water supply and use studies, and the groundwater cooperative program with the USGS.

Regions and Water Resource Districts

It is proposed that the state be divided into three “Regions” within the agency for departmental administrative purposes.

It is recommended that up to five “Water Resource Districts” (Districts) be established. Each District should have an advisory board consisting of appointed members representing a cross-section of the stakeholders within that District. The advisory board would make recommendations to the Commission for management and development of water resources in the designated District in accordance with the Statewide Water Management Plan. Districts may be authorized to conduct studies and propose management guidelines for their districts. Sufficient administrative support should be provided by the state.

The District boundaries would be established by the Commission in accordance with the Administrative Procedures Act. Recommendations for the general geographic locations of the districts are depicted on the following map.

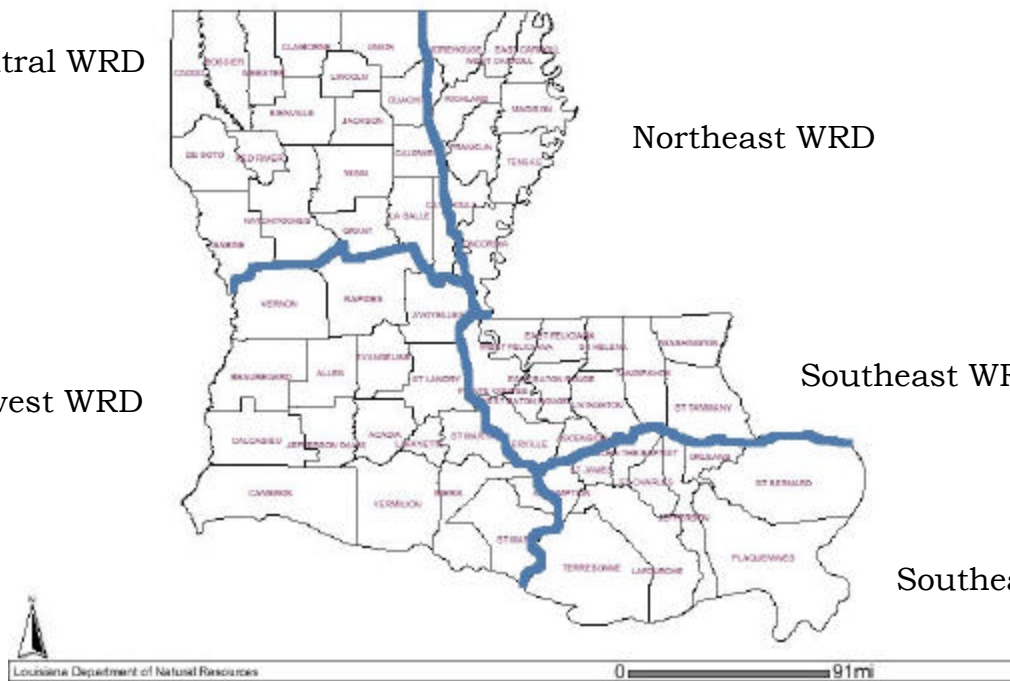
North Central WRD

Northeast WRD

Southwest WRD

Southeast WRD

Southeast Coastal WF



**Item 3g: Levy of Civil Penalties; and
Item 4: Registration and Permitting Requirements**

The goal of registration and permitting is to protect the sustainability of aquifers. The items of consensus on registration and permitting are as follows:

The goal of registration or permitting new wells is to protect the sustainability of an aquifer. The items of consensus were:

1. consistent with R.S. 38:3091-3098.8 all new wells should be registered;
2. permitting of new wells may be a management tool in areas designated as critical, potentially critical, or stressed groundwater areas as defined in the state comprehensive water management plan. Restrictions (e.g. production volume, spacing, depth) could be placed on any new large volume wells (as designated in paragraph 3) in other areas of the state if it is determined that operation of the proposed well will result in significant long-term impacts to surrounding wells or the aquifer. The registration process should be used to identify such wells.
3. the permitting threshold for new wells should be based on well casing diameter size as this is easily measured in the field;
4. the details of a registration or permitting program should be developed through the Administrative Procedures Act

Public Questions and Comments

Jimmy Burland of Riverwood International Corporation commended the Advisory Task Force for their diligence in performing their tasks. He stated that the business community is looking for predictability. Mr. Burland thanked the members for allowing him to be a part of their work and listening to his comments.

Schedule of the next Meeting

To be announced.

Adjourn

The meeting adjourned at 12:15 p.m.

Ground Water Management Staff Recommendations

Friday, March 14, 2003

After numerous Task Force meeting discussions, the following items have been prepared by the Ground Water Management Commission staff as consensus points for consideration.

Item 1: Legal status of groundwater

The consensus is that groundwater can be regulated by the state under existing law.

Item 3b: Specific functions, roles and responsibilities of the agency/division

Agency Structure

It is proposed that a Water Management Division (Agency) be established in the Office of Conservation to serve as the technical staff to the proposed Water Management Commission (Commission). Subject to Commission approval, agency responsibilities should include all policy/rule making, planning, data management, recordkeeping and administration of the plan. This includes technical reviews of critical groundwater area applications, review of Water Resources District (District) recommendations and technical advisory committee proposals. The agency will also assume the following duties currently performed by the DOTD: well registration and permitting, licensing of water well drillers, well construction and plugging inspections, groundwater data collection and dissemination, water supply and use studies, and the groundwater cooperative program with the USGS.

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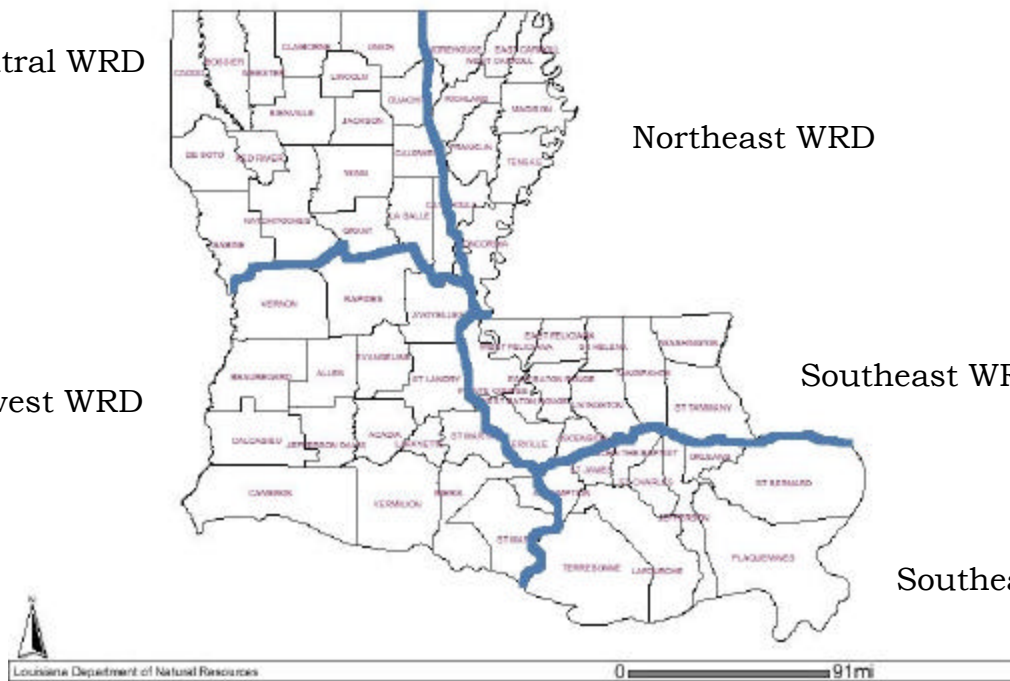
North Central WRD

Northeast WRD

Southwest WRD

Southeast WRD

Southeast Coastal WF



Item 3g: Levy of Civil Penalties; and Item 4: Registration and Permitting Requirements

The goal of registration and permitting is to protect the sustainability of aquifers. The items of consensus on registration and permitting are listed below.

5. Consistent with R.S. 38:3091-3098.8, all new wells should be registered.
6. Permitting of new wells may be a management tool in areas designated as critical, potentially critical or stressed groundwater areas as defined in the state comprehensive water management plan. Restrictions (e.g. production volume, spacing and depth) could be placed on any new large volume wells (as designated in paragraph 3) in other areas of the state, if it is determined that operation of the proposed well will result in significant long-term impacts to surrounding wells or the aquifer. The registration process should be used to identify such wells.
7. The permitting threshold for new wells should be based on well casing diameter size, as this is easily measured in the field.
8. The details of a registration or permitting program should be developed through the Administrative Procedures Act.